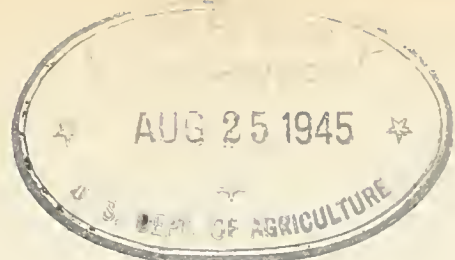


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WAR FOOD ADMINISTRATION

[FDO 76]

PART 1460—FATS AND OILS

CONSERVATION AND DISTRIBUTION OF WOOL FAT

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of wool fat for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1460.28 *Delivery, acceptance of delivery, use, consumption, processing, refining, and compounding of wool fat restricted—*(a) *Definitions.* (1) "Wool fat" means that fat or grease extracted from wool by whatever means, including all types, grades, and kinds recovered. The term also includes Adeps Lanae U. S. P. Lanolin; Technical Lanolin; Neutral Wool Fat (grease); Neutral Degras of all grades and types; common or crude Degras and common or crude wool grease; and wool waxes, alcohols, or other derivatives of wool fat.

(2) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(3) "Producer" means any person engaged in the recovery of wool fat.

(4) "Refiner" means any person engaged in the refining of wool fat.

(5) "Distributor" means any person who has purchased or hereafter purchases wool fat for the purpose of resale.

(6) "Consumer" means any person who processes, uses, consumes, or compounds wool fat.

(7) "Refining" means the purification of wool fat by any process.

(8) "Director" means the Director of Food Distribution, War Food Administration, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restrictions on delivery, acceptance of delivery, use, consumption, processing, refining, and compounding of wool fat.* No person shall deliver, accept delivery of, use, consume, process, refine, or compound wool fat, except as specifically authorized or directed by the Director or as provided in (c) hereof.

(c) *Exceptions.* (1) Notwithstanding the provisions of (b) hereof, specific authorization of the Director shall not be required with respect to:

(i) The delivery of wool fat by a retail pharmacist or druggist to a consumer and the acceptance of delivery, use, consumption, processing, or com-

pounding of such wool fat by the consumer to whom delivery is made.

(ii) The delivery by a refiner or distributor to any person of not more than 10 pounds of wool fat during any calendar month and the acceptance of delivery, use, consumption, compounding, processing, resale, or delivery of such wool fat by the person to whom delivery is made.

(iii) The delivery of wool fat by a refiner or distributor to a consumer and the acceptance of delivery, use, consumption, processing, or compounding of such wool fat for the purpose of manufacturing cosmetics by the consumer to whom delivery is made.

(2) No refiner or distributor shall make deliveries during any calendar month pursuant to (c) (1) (ii) or (iii) hereof unless, upon application, he has received a specific authorization from the Director to so deliver, in the aggregate, a specified maximum quantity of wool fat. The total amount of wool fat so delivered by a refiner or distributor in any calendar month shall not exceed the maximum quantity authorized by the Director. Applications for authorizations to make deliveries in any calendar month pursuant to (c) (1) (ii) and (iii) hereof shall specify the maximum quantity requested for delivery pursuant to each of said paragraphs.

(3) No person shall accept delivery of wool fat in any calendar month pursuant to (c) (1) (ii) hereof from more than one supplier and no consumer shall accept delivery of wool fat in any calendar month pursuant to (c) (1) (iii) hereof from more than one supplier.

(4) No refiner or distributor shall deliver and no person shall accept delivery of wool fat pursuant to (c) (1) (ii) hereof unless prior to delivery the deliverer shall furnish the refiner or distributor a certificate in the following form:

The undersigned hereby certifies to the War Food Administration, United States Department of Agriculture, and to _____ (supplier) that upon the delivery to him of _____ pounds of wool fat in _____ 194____, by _____ (month)

said supplier, in connection with which this certificate is furnished, the undersigned will not accept delivery of wool fat from any other refiner or distributor during said month pursuant to the provisions of paragraph (c) (1) (ii) of FDO No. 76.

Deliverer
By _____
Authorized Official

Title

Such certificate shall be properly filled out and duly executed by the deliverer or by someone authorized to act in his behalf.

(5) No refiner or distributor shall deliver and no consumer shall accept delivery of wool fat pursuant to (c) (1) (iii) hereof unless prior to delivery the consumer shall furnish the refiner or distributor a certificate in the following form:

The undersigned hereby certifies to the War Food Administration, United States Department of Agriculture, and to _____ (supplier) that upon the delivery to him of _____ pounds of wool fat in _____ 194____, by _____ (month)

by said supplier, in connection with which this certificate is furnished, the undersigned will not accept delivery of wool fat from any other refiner or distributor during said month pursuant to the provisions of paragraph (c) (1) (iii) of FDO No. 76, and that said wool fat will be used, consumed, or compounded by the undersigned in the manufacture of cosmetics.

Deliverer
By _____
Authorized Official

Date _____ Title _____

Such certificate shall be properly filled out and duly executed by the deliverer or by someone authorized to act in his behalf.

(d) *Applications for delivery, acceptance of delivery, use, consumption, processing, refining, and compounding.* The Director will issue authorizations or directives with respect to delivery, acceptance of delivery, use, consumption, processing, refining, and compounding of wool fat in each calendar month, insofar as is practicable, prior to the commencement of such month. Every person requiring an authorization to accept delivery of, use, consume, process, refine, or compound wool fat during any calendar month, including any person asking authorization to accept delivery of wool fat for resale, or to accept delivery of, or use wool fat for making deliveries pursuant to paragraphs (c) (1) (ii) and (iii) hereof, shall file an application therefor on or before the tenth day of the month preceding the month for which such authorization is sought except that applications for September 1943 may be filed on or before August 25, 1943. Such application shall be made on Forms FDA-477 and FDA-478, or such other forms as the Director may prescribe, and such forms shall be forwarded to the Chief, Fats and Oils Branch, Food Distribution Administration, War Food Administration,

tion, Washington 25, D. C., Ref: FD 76. In each case where the application for authorization to accept delivery of, use, consume, process, refine, or compound is granted, one copy of Form FDA-478, or such other forms as may be prescribed by the Director, signed by the Director, will be returned to the applicant and will constitute an authorization to accept delivery of, use, consume, process, refine, or compound, and one copy of Form FDA-477, or such other form as may be prescribed by the Director, signed by the Director, will be forwarded to the supplier and will constitute his authorization to make delivery.

(e) *Effective period of authorization.* The Director may prescribe in each authorization issued pursuant to this order, the period of time in which such authorization will be effective and no person shall take any action pursuant to, or in reliance on, an authorization which has expired.

(f) *Inventories.* Wool fat authorized or directed by the Director to be used for a specific purpose during a specific period shall revert to inventories where and to the extent that such wool fat is not used during the specific period for the specific purpose designated in the authorization or directive. Wool fat which the Director has authorized or directed to be delivered, accepted, or used for the purpose of building up inventories, or which has reverted to inventories under the terms of this order, shall not be delivered, accepted, used, consumed, processed, refined, or compounded, except as the Director may further authorize or direct.

(g) *Reports by producers.* Each producer of wool fat shall fill out and file, on or before August 25, 1943, and within fifteen days after the end of each calendar month hereafter, beginning with August 1943, with the Chief, Fats and Oils Branch, Food Distribution Administration, War Food Administration, Washington 25, D. C., Ref: FDO 76, one copy of Form FDA-476, with respect to

his actual and estimated production, deliveries, and stocks of wool fat.

(h) *Contracts.* The restrictions of this order shall be observed without regard to contracts heretofore or hereafter entered into, or any rights accrued, or payments made thereunder.

(i) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in wool fat.

(3) The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of wool fat of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(k) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him, may file a petition for relief in writing with the Director, addressed as follows: Director of Food Distribution, War Food Administration, Washington 25, D. C., Reference FDO 76.

Such petition shall set forth all pertinent facts and the nature of the relief sought. The Administrator of this order shall then act upon the petition. In the event

that the petitioner is dissatisfied with the action taken by the Administrator of this order, he may request a review of such action by the Director whose decision with respect to the relief sought shall be final.

(l) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using wool fat, or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(m) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, or otherwise provided herein, be addressed to the Director of Food Distribution, War Food Administration, United States Department of Agriculture, Washington 25, D. C., Ref: FDO 76.

(n) *Territorial extent.* This order shall apply only to the forty-eight States of the United States, the District of Columbia, and the Territory of Alaska.

(o) *Effective date.* This order shall become effective 12.01 a. m., e. w. t., September 1, 1943, except that the provisions of paragraphs (d) and (g) shall become effective on the date of issuance.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 17th day of August 1943.

GROVER B. HILL,
Acting War Food Administrator.

Press Release, Immediate:
Thursday, August 19, 1943.

Wool fat—used by industry and in medicine and cosmetics—will be allocated beginning September 1 to assure adequate supplies for military, essential civilian and export requirements, the War Food Administration said today.

The program provides for allocation of the product—a grease extracted from wool—from producers to industrial consumers and refiners, and permits the designation of quantities to be used for specific purposes.

Wool fat is in great demand by war industry as a rust preventive and leather processing agent. It is in short supply

because machinery for domestic production of the fat is limited and imports have been eliminated.

Industrial consumers and refiners—except druggists and cosmetic manufacturers—must apply for monthly allocation of supplies directly to the Fats and Oils Branch, Food Distribution Administration, Washington 25, D. C. Applications for September allocations should be filed immediately and those for succeeding months should be filed with FDA by the 10th of the month preceding that for which authorization is sought. Forms FDA 477 and 478 (available at all regional offices) will be used. These requirements are contained in Food Distribution Order 76, effective September 1.

A single allocation will be made to producers for distribution to druggists and cosmetic manufacturers.

Druggists, who use wool fat in its refined form (lanolin) as an essential component of many pharmaceuticals, will be allowed up to 10 pounds per month each simply by certifying to the producer that supplies will be accepted from only one source. If more than 10 pounds are required, application should be made direct to FDA by the pharmacists.

Cosmetic manufacturers also must certify that they are requesting wool fat supplies from only one source, but the only limit to the quantity they may obtain from a producer will be that prescribed by the allocation based on the available supply. Cosmetic manufacturers use wool fat in the preparation of cosmetic creams.

WAR FOOD ADMINISTRATION

[FDO 76, Amdt. 1]

PART 1460—FATS AND OILS

CONSERVATION AND DISTRIBUTION OF WOOL FAT

Food Distribution Order No. 76 (8 F.R. 11465), § 1460.28, is amended as follows:

By inserting at the end of paragraph (a) thereof and as a part of said paragraph the following:

(9) "Cosmetics" means all products intended to be applied to the human body

for cleansing, beautifying, promoting attractiveness, or altering the appearance, including, but not limited to, toilet soaps containing wool fat, shaving creams containing wool fat, hand lotions, after shaving lotions, and hair dressings and tonics.

This amendment shall become effective on March 10, 1944 at 12:01 a. m., e. w. t. However, with respect to violations of Food Distribution Order 76, or rights accrued or liabilities incurred thereunder, prior to said date, said Food

Distribution Order 76 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 10th day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

**War Food Administration,
Summary to FDO 76 Amendment 1.**

The War Food Administration has issued an amendment to Food Distribution Order No. 76, the wool grease allocation order, defining the term "cosmetics" as it relates to the use of lanolin, a limited quantity of which is being allocated to cosmetic manufacturers this

month for the first time since the order became effective in September, 1943. Lanolin is refined wool grease.

The amendment defines "cosmetics" as "all products intended to be applied to the human body for cleansing, beautifying, promoting attractiveness, or altering the appearance, including, but not limited to, toilet soaps containing wool

fat, shaving creams containing wool fat, hand lotions, after shaving lotions, and hair dressings and tonics."

Allocation of lanolin is not being made direct to cosmetic manufacturers. Limited quantities may be obtained by presenting to the supplier a certificate indicating that it is being sought from no other sources during the month.

